



Rep. Robert Rita

Filed: 5/10/2016

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LRB099 20556 KTG 48532 a

1 AMENDMENT TO SENATE BILL 2929

2 AMENDMENT NO. _____. Amend Senate Bill 2929 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Hospital Licensing Act is amended by
5 changing Section 6.09 as follows:

6 (210 ILCS 85/6.09) (from Ch. 111 1/2, par. 147.09)

7 Sec. 6.09. (a) In order to facilitate the orderly
8 transition of aged patients and patients with disabilities from
9 hospitals to post-hospital care, whenever a patient who
10 qualifies for the federal Medicare program is hospitalized, the
11 patient shall be notified of discharge at least 24 hours prior
12 to discharge from the hospital. With regard to pending
13 discharges to a skilled nursing facility, the hospital must
14 notify the case coordination unit, as defined in 89 Ill. Adm.
15 Code 240.260, at least 24 hours prior to discharge. When the
16 assessment is completed in the hospital, the case coordination

1 unit shall provide the discharge planner with a copy of the
2 prescreening information and accompanying materials, which the
3 discharge planner shall transmit when the patient is discharged
4 to a skilled nursing facility. When a case coordination unit is
5 unable to complete an assessment in the hospital prior to the
6 discharge of a patient to a nursing home, the case coordination
7 unit shall notify the Department on Aging, which shall notify
8 the Department of Healthcare and Family Services. The
9 Department of Healthcare and Family Services and the Department
10 on Aging shall adopt rules to address these instances that
11 ensure that the patient is able to access nursing home care and
12 that the nursing home is not penalized for accepting the
13 admission to the extent permitted by federal law and
14 regulations. If home health services are ordered, the hospital
15 must inform its designated case coordination unit, as defined
16 in 89 Ill. Adm. Code 240.260, of the pending discharge and must
17 provide the patient with the case coordination unit's telephone
18 number and other contact information.

19 (b) Every hospital shall develop procedures for a physician
20 with medical staff privileges at the hospital or any
21 appropriate medical staff member to provide the discharge
22 notice prescribed in subsection (a) of this Section. The
23 procedures must include prohibitions against discharging or
24 referring a patient to any of the following if unlicensed,
25 uncertified, or unregistered: (i) a board and care facility, as
26 defined in the Board and Care Home Act; (ii) an assisted living

1 and shared housing establishment, as defined in the Assisted
2 Living and Shared Housing Act; (iii) a facility licensed under
3 the Nursing Home Care Act, the Specialized Mental Health
4 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
5 the MC/DD Act; (iv) a supportive living facility, as defined in
6 Section 5-5.01a of the Illinois Public Aid Code; or (v) a
7 free-standing hospice facility licensed under the Hospice
8 Program Licensing Act if licensure, certification, or
9 registration is required. The Department of Public Health shall
10 annually provide hospitals with a list of licensed, certified,
11 or registered board and care facilities, assisted living and
12 shared housing establishments, nursing homes, supportive
13 living facilities, facilities licensed under the ID/DD
14 Community Care Act, the MC/DD Act, or the Specialized Mental
15 Health Rehabilitation Act of 2013, and hospice facilities.
16 Reliance upon this list by a hospital shall satisfy compliance
17 with this requirement. The procedure may also include a waiver
18 for any case in which a discharge notice is not feasible due to
19 a short length of stay in the hospital by the patient, or for
20 any case in which the patient voluntarily desires to leave the
21 hospital before the expiration of the 24 hour period.

22 (c) At least 24 hours prior to discharge from the hospital,
23 the patient shall receive written information on the patient's
24 right to appeal the discharge pursuant to the federal Medicare
25 program, including the steps to follow to appeal the discharge
26 and the appropriate telephone number to call in case the

1 patient intends to appeal the discharge.

2 (d) Before transfer of a patient to a long term care
3 facility licensed under the Nursing Home Care Act where elderly
4 persons reside, a hospital shall as soon as practicable
5 initiate a name-based criminal history background check by
6 electronic submission to the Department of State Police for all
7 persons between the ages of 18 and 70 years; provided, however,
8 that a hospital shall be required to initiate such a background
9 check only with respect to patients who:

10 (1) are transferring to a long term care facility for
11 the first time;

12 (2) have been in the hospital more than 5 days;

13 (3) are reasonably expected to remain at the long term
14 care facility for more than 30 days;

15 (4) have a known history of serious mental illness or
16 substance abuse; and

17 (5) are independently ambulatory or mobile for more
18 than a temporary period of time.

19 A hospital may also request a criminal history background
20 check for a patient who does not meet any of the criteria set
21 forth in items (1) through (5).

22 A hospital shall notify a long term care facility if the
23 hospital has initiated a criminal history background check on a
24 patient being discharged to that facility. In all circumstances
25 in which the hospital is required by this subsection to
26 initiate the criminal history background check, the transfer to

1 the long term care facility may proceed regardless of the
2 availability of criminal history results. Upon receipt of the
3 results, the hospital shall promptly forward the results to the
4 appropriate long term care facility. If the results of the
5 background check are inconclusive, the hospital shall have no
6 additional duty or obligation to seek additional information
7 from, or about, the patient.

8 (Source: P.A. 98-104, eff. 7-22-13; 98-651, eff. 6-16-14;
9 99-143, eff. 7-27-15; 99-180, eff. 7-29-15; revised
10 10-14-15.)".